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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS  
ANTITRUST LITIGATION

MDL No. 2143

CASE NO. 3:13-cv-03350 RS

This document relates to:

DELL INC. and DELL PRODUCTS L.P.

Plaintiffs,

v.

HITACHI-LG DATA STORAGE, INC., et al.

Defendants.

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING DEFENDANTS'  
RESPONSES TO DELL INC. AND DELL  
PRODUCTS L.P.'S COMPLAINT**

1 WHEREAS, on September 12, 2013, this Court entered three orders regarding the service  
 2 of process related to Dell Inc. and Dell Products L.P.'s ("Dell") Complaint, and also set deadlines  
 3 for Defendants to file their responses to Dell's Complaint (*see* Dkt. Nos. 993, 994, and 995).

4 WHEREAS, the deadlines set forth in the above-referenced Orders provide for two  
 5 different response dates for the various Defendants—November 22, 2013 for certain Defendants,  
 6 and December 6, 2013 or 90 days from receipt by a certain Defendant (or certain Defendants) of  
 7 the Dell Complaint delivered in the manner stipulated, whichever is later, for other Defendants;

8 WHEREAS, the parties agree that a single date for all Defendants to respond to Dell's  
 9 Complaint is preferable, and have agreed that Defendants should have until December 9, 2013 to  
 10 file an answer or otherwise respond to Dell's Complaint; and

11 WHEREAS, to the extent any Defendant or Defendants move to dismiss Dell's Complaint,  
 12 under Federal Rule of Civil Procedure 12(b)(6) or otherwise, the parties will work in good faith to  
 13 agree upon and present to the Court a proposed briefing schedule to resolve those motions, but in  
 14 no event shall Dell's response to any such motions be due before January 17, 2014;

15 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned  
 16 counsel for the parties, and subject to Court approval, that all Defendants shall have until  
 17 Monday, December 9, 2013 to file their responses to Dell's Complaint. To the extent any  
 18 Defendant or Defendants move to dismiss that Complaint, the parties shall work in good faith to  
 19 reach an agreed upon briefing schedule which they will present to the Court no later than  
 20 December 13, 2013, but in no event shall Dell's response to any such motions be due before  
 21 January 17, 2014.

22  
 23 IT IS SO STIPULATED.

24  
 25 DATED: November 15, 2013

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6 DATED: November 15, 2013

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18 DATED: November 15, 2013

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27 DATED: November 15, 2013

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1 DATED: November 15, 2013

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12 DATED: November 15, 2013

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21 *Attorneys for Defendant Hitachi, Ltd.*

22 **IT IS SO ORDERED.**

23 DATED: November 15, 2013



24 HONORABLE RICHARD SEEBORG  
25 UNITED STATES DISTRICT COURT JUDGE

26 NY\6044716.1